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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 BRIAN J. SMITH,

09 Plaintiff,

10 v.

11 MICHAEL ASTRUE,
Commissioner of Social Security,

12 Defendant.
13 _____

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) CASE NO. C11-5211-MJP
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) REPORT AND RECOMMENDATION
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14 Plaintiff brought this action to seek judicial review of the denial of his application for
15 Supplemental Security Income by the Commissioner of the Social Security Administration.
16 The parties have now stipulated that this case should be reversed and remanded pursuant to
17 sentence six of 42 U.S.C. § 405(g) due to the fact that significant portions of the audio recording
18 of the hearing held in this matter are inaudible. (Dkt. 16.) Given the stipulation of the parties,
19 the Court agrees that this case should be remanded further administrative proceedings,
20 specifically a *de novo* hearing before the Administrative Law Judge.

21 The Court recommends that United States District Judge Marsha J. Pechman
22 immediately approve this Report and Recommendation and order the case REMANDED for

01 further administrative proceedings. Because this matter is remanded pursuant to sentence six
02 of § 405(g), the District Court shall retain jurisdiction. A proposed order accompanies this
03 Report and Recommendation.

04 DATED this 7th day of September, 2011.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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